

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

EPIMENIO YSASSI, *et al*,

Plaintiffs,

VS.

MEECORP CAPITAL MARKETS, L. L. C., *et al*,

Defendants.

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CIVIL ACTION NO. C-07-401

ORDER

On November 28, 2007, the Court conducted an initial pretrial conference in the above-styled action. It is hereby ORDERED:

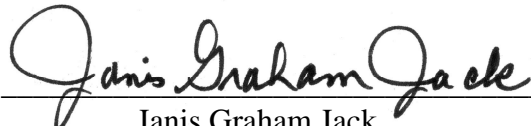
1. Plaintiff Epimenio Ysassi appeared at the conference and made an oral motion to be substituted as Attorney-in-Charge for himself and for Plaintiff Ysassi & Ysassi, P.C. for the limited purposes of appearing at the November 28, 2007 conference and making an oral motion to dismiss all of Plaintiffs' claims with prejudice. The motion for substitution of counsel is GRANTED. Epimenio Ysassi, who is an attorney licensed to practice before this Court, is substituted as Attorney-in-Charge for himself and for Plaintiff Ysassi & Ysassi, P.C. for the limited purposes described above.

2. No later than December 7, 2007, Plaintiffs must name a properly licensed attorney who will act as Attorney-in-Charge for Epimenio Ysassi and Ysassi & Ysassi, P.C. in the above-styled action by filing a notice of appearance (if Epimenio Ysassi will continue to act as Attorney-in-Charge) or a motion for substitution of counsel (if any attorney other than Epimenio Ysassi will act as Attorney-in-Charge).
3. At the November 28, 2007 conference, Epimenio Ysassi made an oral motion on behalf of each Plaintiff to dismiss with prejudice all Plaintiffs' claims against all Defendants. No Defendant opposed this motion. Therefore, this motion is GRANTED pursuant to Federal Rule of Civil Procedure 41(a)(1). All Plaintiffs' claims against all Defendants are hereby DISMISSED WITH PREJUDICE.
4. The Court will enter Final Judgment pursuant to Federal Rule of Civil Procedure 54(b) as to the following Defendants: Rodrigo Ramon, Jr., Paula Wakefield, Elias Vasquez, City of Robstown, Texas, Texas Municipal League - Intergovernmental Risk Pool, and Michael Edrei.¹
5. Defendants Meecorp Capital Markets, LLC, Lowenstein Sandler, P.C., and William Munday have filed Counterclaims against both Epimenio Ysassi and Ysassi & Ysassi, P.C. (D.E. 9 & 10), and these are the only claims for relief remaining in this action. Therefore, in all pleadings and orders filed after the entry of the Final Judgment referenced above, the above-numbered action will be re-styled as follows: Meecorp Capital Markets, LLC, Lowenstein Sandler, P.C., and William Munday, Plaintiffs, v. Epimenio Ysassi and Ysassi & Ysassi, P.C., Defendants.

¹ Defendant Michael Edrei has not yet been served and has not yet appeared in this action.

6. No later than December 10, 2007 at 3:00 p.m., Epimenio Ysassi and Ysassi & Ysassi, P.C. shall file a response to the Counterclaims filed by Meecorp Capital Markets, LLC, Lowenstein Sandler, P.C., and William Munday (D.E. 9 & 10).²
7. The initial pretrial and scheduling conference in this action is RESET to December 11, 2007 at 1:15 p.m., in the United States Courthouse, 1133 North Shoreline Boulevard, 3rd Floor Courtroom, 319-A, Corpus Christi, Texas. Except as stated in this Order, all provisions in the "Order for Conference and Disclosure of Interested Parties," filed October 18, 2007 (D.E. 2), shall apply to the reset initial pretrial and scheduling conference. The remaining parties are required to confer pursuant to Federal Rule of Civil Procedure 26(f) as to the remaining claims. After this conference, counsel shall prepare and file by December 10, 2007 at 3:00 p.m. a joint discovery/case management plan containing the information required on the form attached to the "Order for Conference and Disclosure of Interested Parties," filed October 18, 2007 (D.E. 2).

SIGNED and ORDERED this 28th day of November, 2007.


Janis Graham Jack
United States District Judge

² Pursuant to Federal Rule of Civil Procedure 12(a)(2), a response to the Counterclaims was due 20 days after service of the Answers and Counterclaims. The Certificates of Service attached to the Answers and Counterclaims state that they were served on October 31, 2007. (D.E. 9 & 10.) As of the date of this Order, no response to the Counterclaims have been filed.